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BASEL CONVENTION

Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
Twelfth meeting
Geneva, 4–15 May 2015

Draft report of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal on the work of its twelfth meeting

I. Organizational matters (agenda item 3) (*continued*)

A. Election of officers (continued)

1. [*To be completed*]

B. Report on the credentials of representatives to the twelfth meeting of the Conference of the Parties (*continued*)

2. [*To be completed*]

II. Matters related to the implementation of the Convention (agenda item 4)

A. Strategic issues

1. Follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention

3. The representative of the Secretariat introduced the sub-item, recalling decision BC-11/1, on follow-up to the Indonesian-Swiss country-led initiative, covering entry into force of the Ban Amendment, the development of guidelines on environmentally sound management of wastes and providing legal clarity with regard to the interpretation of certain terminology used in the Convention. Since the eleventh meeting of the Conference of the Parties six new parties (Benin, Colombia, Congo, Côte d'Ivoire, Guatemala and Peru) had ratified the Ban Amendment, leaving the number of additional instruments of ratification to be deposited by parties that were parties at the time of adoption of the Convention required for entry into force at 12. Since the eleventh meeting of the Conference of the Parties, the Secretariat had held an additional workshop on facilitating the amendment's entry into force and had supported the President and another member of the Bureau in conducting two information briefings on the subject for permanent missions in Geneva and a third in Warsaw for Central and Eastern European parties. Regarding the guidelines on environmentally sound management, an expert working group had met three times and worked intersessionally, beginning five pilot projects and developing a set of practical manuals on promoting the environmentally sound management of wastes (UNEP/CHW.12/3/Add.2), fact sheets for specific waste streams (UNEP/CHW.12/INF/6), a report assessing possible incentives for private sector investment in environmentally sound management (UNEP/CHW.12/INF/6) and a draft work programme for the

period beginning with the twelfth meeting of the Conference of the Parties (UNEP/CHW.12/3/Add.1). Regarding legal clarity, an intersessional working group formed in accordance with decision BC-11/1 had met once before and once after the ninth meeting of the Open-ended Working Group, producing a further revised glossary, with some text in square brackets, and recommendations on options for the consistent interpretation of terminology (UNEP/CHW.12/INF/52, annexes I and II), which were before the Conference of the Parties at the current meeting.

4. Following the Secretariat presentation the Conference of the Parties discussed the three subjects in sequence.

(a) Ban Amendment

5. In the discussion of the Ban Amendment, general appreciation was expressed for the efforts made in the intersessional period to secure the ratifications needed to ensure its entry into force, with most speakers, including one speaking on behalf of a group of countries, paying tribute to the six countries that had submitted their instruments of ratification since the previous meeting of the Conference of the Parties. The representatives of a number of parties recalled the importance of the Ban Amendment to the success of the country-led initiative as a whole, with the representative of one of the lead countries of the initiative in particular reaffirming his country's continued commitment to supporting the initiative. Several representatives, including one speaking on behalf of a group of countries, said that enhanced collective efforts must be made to secure the remaining 12 ratifications required for entry into force in the coming intersessional period, with one calling for further technical and financial support to assist developing countries in implementing the Convention and another, speaking on behalf of a group of countries, expressing support for the draft decision in section I of document UNEP/CHW.12/3.

6. Following the discussion the Conference of the Parties adopted section I of the draft decision set out in document UNEP/CHW.12/3, pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

7. [*To be completed*]

(b) Environmentally sound management of wastes

8. The Conference of the Parties began its discussion of the environmentally sound management of wastes with a presentation by Mr. Alberto Capra (Argentina) and Mr. Andreas Jaron (Germany), co-chairs of the expert working group on environmentally sound management.

9. Mr. Capra began by providing an overview of the working group's output. He stressed the working group's desire to promote and implement the practical aspects of environmentally sound management through the draft work programme it had developed. In its work programme, the working group would develop an "ESM toolkit" which, in addition to the manuals and fact sheets already developed, included pilot projects, training programmes, an Internet portal and guidance on self-assessment of national capacity. He underscored the importance of the exchange of information on modalities of public-private partnerships and the inclusion of the private sector in implementing the work programme. Mr. Jaron, observing that environmentally sound management was highly dependent on local circumstances, said that good results could be achieved with a few simple measures and that the approaches and tools developed by the working group were intended for use by all those dealing with waste management at all levels. He called for assistance from regional centres, parties and industry in translating the manuals and fact sheets into as many languages as possible and, noting that the manual on waste prevention reflected the current state of waste prevention knowledge, said that the group needed practical descriptions of existing measures and examples of waste prevention.

10. In the ensuing discussion one representative, speaking on behalf of a group of countries, expressed appreciation for the working group's output but indicated that the practical manuals required a number of modifications to ensure consistency with one another and with the Convention. To expedite their revision, she proposed that parties and others be invited to submit comments, that the expert working group revise the manuals accordingly and that the manuals then be tested. A conference room paper with proposed changes to the draft decision and the draft work programme would be submitted for consideration by the parties.

11. Another representative called for strong support for the Indonesian-Swiss country-led initiative with regard to environmentally sound management and the work of the expert working group.

12. Following the discussion the Conference of the Parties established a contact group on strategic matters, chaired by Ms. Angela Rivera (Colombia), to consider further the draft work programme submitted by the expert working group (UNEP/CHW.12/3/Add.1, annex) and the practical manuals for the promotion of the environmentally sound management of wastes (UNEP/CHW.12/3/Add.2, annex). The group would also work to develop draft decision text for consideration by the Conference of the Parties, taking into account the discussions in plenary and taking section II of the draft decision in document UNEP/CHW.12/3 as its starting point.

13. The chair of the contact group subsequently reported that the group had reached agreement on section II of the draft decision, extending the mandate of the expert working group and adopting its work programme. The Conference of the Parties then adopted section II of the draft decision as agreed by the contact group, pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

14. [*To be completed*]

(c) Legal clarity

15. The Conference of the Parties began its discussion on the subject of legal clarity with a presentation by Mr. Simon Parker (United Kingdom of Great Britain and Northern Ireland), co-chair of the small intersessional working group on legal clarity, in which he reported on the work of the group at two face-to-face meetings. The aim of the meetings was, among other things, to ensure consistency between the glossary being developed by the small intersessional working group on legal clarity and the terminology used in the technical guidelines on transboundary movements of e-waste and used electrical and electronic equipment. In particular, the group had focused on clarifying the distinction between waste and non-waste; developing general terms that were not specific to a single waste stream, type of disposal or context; incorporating definitions already existing in the Convention; and restructuring the glossary to include explanatory notes for each term. He said that despite containing bracketed text, owing to the fact that the group had not had time to complete its work, the draft revised version presented in annex I to document UNEP/CHW.12/INF/52 could provide a basis for the finalization and adoption of the glossary at the current meeting, while annex II to that document presented options for further steps towards achieving the consistent interpretation of terminology, including possible legally binding and voluntary options, which the Conference of the Parties was invited to agree upon for further examination before its next meeting.

16. In the ensuing discussion, general appreciation was expressed to the small intersessional working group for its work in revising the draft glossary of terms and associated explanations, which a number of representatives described as a significant step towards improving the effectiveness of the Convention. Since the group had been unable to complete its work prior to the current meeting, there was general agreement that further work was needed before the glossary could be adopted. A number of representatives, including one speaking on behalf of a group of countries, said that they would propose amendments to the options for further steps toward the consistent interpretation of terminology presented in annex II to the document (UNEP/CHW.12/INF/52), with the one speaking on behalf of a group of countries expressing a preference for the legally binding options. Several representatives said that the group should be mandated to complete its work in the next intersessional period and one representative recommended that, in the interest of reaching consensus at the earliest possible opportunity, the discussion should be confined to general definitions and explanations and that any detailed information should be provided in the technical guidelines on specific waste streams; the continuing discussion on e-waste guidelines, he said, should be completed before reaching a final conclusion.

17. Following the discussion, the Conference of the Parties established a contact group on legal matters, co-chaired by Ms. Anne Daniel (Canada) and Mr. Joost Meier (Chile), to consider further the revised draft glossary of terms and the options for further steps towards the consistent interpretation of terminology submitted by the small intersessional working group (UNEP/CHW.12/INF/52). Taking into account the discussions in plenary, the group would seek to prepare draft decision text for consideration by the Conference of the Parties and taking section III of the draft decision in document UNEP/CHW.12/3 as its starting point.

18. [*To be completed*]

2. Strategic framework

19. The President introduced the item, recalling that the Conference of the Parties was to undertake a mid-term evaluation of the Strategic Framework for the Implementation of the Basel Convention for the period 2012–2021 at its thirteenth meeting, taking into account a baseline report prepared by the

Secretariat, and a final evaluation at its fifteenth meeting. Continuing the introduction, the representative of the Secretariat drew attention to a note by the Secretariat on progress in implementation of the strategic framework and the establishment of a 2011 baseline against which to measure progress in the mid-term and final evaluations of the framework (UNEP/CHW.12/4). Outlining the measures employed by the Secretariat to obtain from parties the data needed to establish the baseline, including e-questionnaires and online and telephone interviews, she noted that only 36 parties – or 19 per cent of all Basel Convention parties – had submitted such data. Despite the low number of parties reporting information the Secretariat had prepared a report on the baseline (UNEP/CHW.12/INF/5). In accordance with decision BC-11/2, the Secretariat planned during the forthcoming biennium to collect updated information from parties using the reporting format that it had developed in accordance with decisions BC-10/2 and OEWG-8/1, as described in documents UNEP/CHW.11/4 and UNEP/CHW.11/INF/6, and to prepare a report on the mid-term evaluation of the strategic framework for consideration by the Conference of the Parties at its thirteenth meeting.

20. In the ensuing discussion, one representative drew attention to the low level of reporting of baseline information against which to measure progress and requested the Secretariat to take measures to raise awareness of the forthcoming mid-term evaluation and the associated timelines for collecting input from parties. She proposed that the Secretariat prepare and submit a progress report on the mid-term evaluation of the strategic framework, including any challenges faced in implementing decision BC-11/2, to the Open-ended Working Group for consideration at its tenth meeting. That report could include an indication of gaps in information that could result in a more complete report to the Conference of the Parties at its thirteenth session.

21. The Conference of the Parties agreed with the proposal described in the preceding paragraph and took note of the information presented.

3. Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes

22. Introducing the sub-item, the President recalled that the Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes had been adopted by the Conference of the Parties at its tenth meeting in recognition of the fact that, despite the progress achieved since the entry into force of the Convention, the volume of hazardous and other wastes had continued to increase across the globe and the transboundary movement of hazardous wastes and other wastes had not diminished. In the light of that reality, at the current meeting the Conference of the Parties was to consider adopting a roadmap for action on the implementation of the Cartagena Declaration developed by the Open-ended Working Group at its ninth meeting.

23. Continuing the introduction, the representative of the Secretariat recalled that in its decision BC-11/19, on the work programme of the Open-ended Working Group for 2014–2015, the Conference of the Parties had requested the Open-ended Working Group to review the progress of parties in implementing the Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes and to prepare a road map for action. The Working Group by its decision OEWG-9/1 had adopted the draft road map for action on the implementation of the Cartagena Declaration for consideration by the Conference of the Parties at its twelfth meeting. In the same decision the Working Group had also recommended that the Conference of the Parties mandate the expert working group on environmentally sound management or a new intersessional group to develop guidance to assist parties in developing efficient strategies for preventing and minimizing the generation of hazardous and other wastes and that it invite a lead country within the group to carry out the work on the development of the guidance.

24. In the ensuing discussion, appreciation was expressed to the Open-ended Working Group for the draft road map for implementation of the Cartagena Declaration. Many representatives supported the draft road map and its adoption at the current meeting with some amendments and supported mandating the expert working group on environmentally sound management to develop guidance to assist parties in developing efficient strategies for achieving the prevention and minimization of the generation of hazardous and other wastes.

25. One representative said that while the Cartagena Declaration referred to prevention, minimization and recovery of hazardous wastes the road map was largely confined to prevention and minimization; she therefore suggested that matters related to recovery be further developed. Several representatives drew attention to the need for technical assistance, one urging developed countries to actively provide technical assistance and all parties to explore new approaches and sources to facilitate delivery of the technical assistance necessary to ensure meaningful gains on the ground. She also said that regional centres should play a greater role in the implementation of the road map and that part of the Convention budget should be earmarked for the promotion of activities under the roadmap.

26. One representative, speaking on behalf of a group of countries and emphasizing the importance of waste prevention and minimization, said that the reduction of waste generated at source should be the highest priority. She stressed the importance of all four elements of the road map and of including appropriate experts on waste prevention in the working group mandated to develop efficient strategies for achieving the prevention and minimization of waste. One representative said that the scope of the Cartagena Declaration was very broad and that it was necessary to consider it from various viewpoints including production, use, collection and recycling stages and to collaborate with relevant organizations in that regard. Another representative suggested that the roadmap provide for the development of economic instruments to make the initiatives contained therein more economically viable.

27. Following the discussion the Conference of the Parties requested the Secretariat to prepare for its consideration a revised version of the draft decision set out in document UNEP/CHW.12/10, taking into account the discussion in plenary.

28. The Conference of the Parties subsequently adopted the revised draft decision presented by the Secretariat, as orally amended and pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

29. [*To be completed*]

B. Scientific and technical matters

1. Technical guidelines (*continued*)

(a) Technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (*continued*)

30. [*To be completed*]

(b) Technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds

31. Introducing the sub-item, the President expressed thanks to the Government of Japan for acting as lead country in the development of guidelines on the environmentally sound management of wastes consisting of elemental mercury and wastes containing or contaminated with mercury. Continuing the introduction, the representative of the Secretariat said that in response to decision BC-11/5 the small intersessional working group established under decision IX/15, including experts from intergovernmental organizations, civil society and industry, had under the leadership of Japan prepared an initial draft of updated technical guidelines. The draft had been further reviewed by Japan based on comments during the intersessional period and the Open-ended Working Group at its ninth meeting. At the current meeting the Conference of the Parties had before it two versions: the first (UNEP/CHW.12/5/Add.8), reflecting all comments received through 30 September 2014 and the discussions of the Open-ended Working Group, was in the six official United Nations languages, while the second (UNEP/CHW.12/5/INF/8), reflecting also additional comments received up to 21 March 2015, was available in English only.

32. The representative of Japan voiced his appreciation to all who had cooperated in the development of the guidelines, saying that he was ready to participate in discussions that would lead to the adoption of the guidelines at the current meeting.

33. In the ensuing discussion, all representatives who took the floor thanked Japan for its work on the draft guidelines and expressed support for the guidelines and their finalization. One representative, speaking on behalf of a group of countries, said that the guidelines were in line with guidelines foreseen under the Minamata Convention on Mercury and noted that methods for final disposal of mercury waste were being developed. He said that parties and others should submit any new information that became available to facilitate the updating of the guidelines in the future. Another representative said that it would be useful to collaborate with the Minamata Convention on further work on the guidelines.

34. Following its discussion the Conference of the Parties to the Basel Convention decided that the contact group on technical matters (see section [ ]) should consider the sub-item further. Taking into account the discussion in plenary, the group was to develop a revised version of the technical guidelines and a revised draft decision for consideration by the Conference of the Parties, taking as its starting point the draft decision set out in document UNEP/CHW.12/5.

35. [*To be completed*]

(c) Technical guidelines on transboundary movements of electronic and electrical waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention

36. Introducing the sub-item, the representative of the Secretariat said that in response to decision BC-11/4 the small intersessional working group established under decision BC-10/5 had prepared several revisions of the draft technical guidelines on transboundary movements of electronic and electrical waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention. As no party had volunteered to act as lead, the work to produce the revised drafts had been coordinated by the Secretariat with the support of a consultant firm. A draft of the guidelines had been considered by the Open-ended Working Group at its ninth meeting, in September 2014. Agreement had been reached on many elements of the draft guidelines, and the options for paragraph 26 (b) and the distinction between waste and non-waste had been narrowed to two. A further meeting of the small intersessional working group in January 2015, funded by Japan, had resulted in a new draft that was circulated for comment by the members of the small intersessional working group. A further draft, reflecting the discussions at that meeting and the comments received, was before the Conference of the Parties at the current meeting in English only (UNEP/CHW/12/INF/7), along with an earlier draft (UNEP/CHW.12/5/Add.1), in the six official United Nations languages, that had been prepared to reflect comments received pursuant to decision BC-11/4 and the discussions during the ninth meeting of the Open-ended Working Group. Subsequent to the preparation of those two drafts the small intersessional working group had also met several more times by teleconference, most recently on 29 April 2015. An information session on the technical guidelines was held on 7 May 2015.

37. In the ensuing discussion many representatives praised the work of the small intersessional working group. Many representatives expressed a desire to reach agreement on the guidelines at the current meeting, saying that they were urgently needed to address an issue with significant implications for human health and the environment. Several stressed the need for a constructive approach, building on the considerable common ground that already existed. A number of representatives stressed that the final guidelines should be clear, transparent and easy to use.

38. There was general agreement that the major point of discussion was the distinction between waste and non-waste electrical and electronic equipment, as reflected in the bracketed text in paragraph 26 (b) of the draft guidelines. Such equipment contained a number of toxic or harmful elements that many countries did not have the capacity to dispose of safely. Several representatives argued that repair, reuse, recycling and refurbishment were to be encouraged in order to extend the useful lives of products and that items destined for those purposes should not be defined as waste, provided that all due precautions were in place with regard to packaging and documentation. Other representatives argued that any non-functioning electrical or electronic equipment should be defined as waste and that failure to do so would make it very difficult for countries to monitor and regulate the movement of such items, leaving the door open to widespread illegal traffic in the guise of trade. One representative, speaking on behalf of a group of countries, said that nearly all equipment could be considered repairable and that the process of repair normally involved the replacement of components, with the replaced components immediately becoming waste. Several representatives said that near end-of-life products presented a particular problem, especially in developing countries, as their useful lives ended soon after import. One representative, speaking on behalf of a group of countries, said that inclusion in paragraph 26 (b) of criteria for identifying when used equipment should not normally be considered waste would form a sound basis for a compromise. Several representatives said that, in the long run, improved product quality and greater acceptance of producer responsibility would lead to a reduction in the quantity of waste.

39. Several representatives said that the issue of prior informed consent was of great relevance to the transport of used electrical and electronic products. Several representatives drew attention to the particular vulnerability of small-island developing States to the hazards posed by electrical and electronic waste. Representatives also highlighted other problems faced by particular States, including smuggling, porous borders and international donations of electrical and electronic products to refugees residing in camps ill-equipped to deal with e-waste issues.

40. A number of representatives pointed to progress that had been made at the national level in developing legislative, regulatory and policy measures pertaining to waste electrical and electronic equipment, saying that a lack of clear internationally recognized guidelines made it more difficult to develop such measures. One representative said that allowing legitimate trade in non-working used equipment would promote the best environmental outcomes for that equipment and enable Governments to focus their regulatory efforts on high-risk activities involving illegal trade in the

informal recycling sector. Several representatives said that the guidelines should take into account existing domestic legislation.

41. Following the discussion the Conference of the Parties decided that the contact group on technical matters (see section [ ]) should consider the sub-item further. Taking into account the discussions in plenary, the group was to develop a revised version of the technical guidelines and a revised draft decision for consideration by the Conference of the Parties, taking as its starting point the draft decision set out in paragraph 46 of document UNEP/CHW.12/5.

42. [*To be completed*]

2. Amendments to the annexes to the Basel Convention

43. The President introduced the sub-item, recalling that annexes VIII and IX to the Convention provided information regarding the wastes potentially covered by the Convention and that at its eighth meeting the Conference of the Parties had revised the procedure for the review or adjustment of the lists of wastes in the two annexes. Under the revised procedure any proposed change was to be considered by the Open-ended Working Group and the conclusions of the Working Group then transmitted to the Conference of the Parties for consideration at its next meeting. The Working Group at its ninth meeting had considered proposed new entry B3025 and in the absence of consensus agreed that no further work on the proposal would be undertaken. Continuing the introduction, the representative of the Secretariat reported that the two new entries to Annex IX of the Convention adopted by the Conference of the Parties in its decision BC-11/6, B3026 and B3027, had entered into force for all parties except those that had notified the Depositary pursuant to paragraph 2 (b) of Article 18 of the Convention that they could not accept the amendments by which the entries had been added to Annex IX.

44. The Conference of the Parties took note of the information presented.

3. Classification and hazard characterization of wastes

45. Introducing the sub-item, the President recalled that in accordance with decision BC-10/10 the Secretariat had received proposals from parties for specific wastes covered by the Basel Convention to be included in the World Customs Organization (WCO) Harmonized Commodity Description and Coding System. The Secretariat had been working with WCO to amend the Harmonized System to include codes for those wastes. The representative of the Secretariat then reported on the progress achieved in its work with WCO, outlining the information provided in document UNEP/CHW.12/7.

46. In the ensuing discussion, one representative emphasized the value of increased cooperation and coordination with the World Customs Organization given the importance of the Harmonized Commodity Description and Coding System to efforts to control illegal trade in wastes.

47. The Conference of the Parties took note of the information presented, noting that the World Customs Organization was not expected to complete its evaluation of the proposals to amend the Harmonized System before the fifteenth meeting of the Conference of the Parties at the earliest.

4. National reporting

48. Introducing the sub-item, the President recalled that under the Convention each party was required to transmit a report to the Secretariat by the end of each calendar year providing specified information for the previous calendar year. At the current meeting, the Conference of the Parties was expected to adopt a revised reporting format (UNEP/CHW.12/INF/16) developed by a small intersessional working group as mandated by the Conference of the Parties at their tenth meeting; to extend the mandate of that group to include the development of an electronic user manual for the electronic reporting system and the revised form for national reporting in the six official languages of the United Nations; and to invite parties to submit their reports for 2013 and previous years.

49. Continuing the introduction, the representative of the Secretariat said that as requested by the Conference of the Parties at its eleventh meeting, the Secretariat had developed the electronic reporting system of the Basel Convention with financial support from the Government of Norway; had begun the development of a system of online queries regarding the data submitted in national reports; had organized various capacity-building activities pertaining to national reporting; and, together with the Implementation and Compliance Committee, had continued to develop documents and tools to assist parties with their reporting obligations. She noted that in accordance with past practice and owing to a lack of resources the revised reporting format was available in English only. She also took the opportunity to update the information on national reporting contained in document UNEP/CHW.12/INF/17, noting that subsequent to the cut-off date of 24 November 2014 Argentina and the Russian Federation had submitted national reports for the years 2010 and 2011 and the

Democratic Republic of Congo, Guinea-Bissau, Nigeria and Uruguay had submitted national reports for the year 2012.

50. The Conference of the Parties then heard from Mr. Joachim Wuttke (Germany), the chair of the small intersessional working group. He stressed that the group considered the manual on reporting, which was still to be prepared, to be of key importance and that among other things it should indicate which items on the reporting format were mandatory. The group had also asked the Secretariat to assess what could be done to make it clear to parties when they were using the electronic reporting system whether or not the reporting format had been fully completed. He then proposed a minor amendment to the wording in one of the tables in the proposed revised reporting format based on the discussions in the small intersessional working group and drew attention to a conference room paper submitted on behalf of a group of countries, which contained a proposed amendment to the draft decision in document UNEP/CHW.12/8/Rev.1.

51. In the ensuing discussion, several parties, including one speaking on behalf of a group of countries, praised the enhanced streamlining and simplicity of the revised reporting format and supported its adoption. They also supported the adoption of the draft decision, with a number of them, including one speaking on behalf of a group of countries, also supporting the amendment to the draft decision proposed in the conference room paper, which would mandate the Open-ended Working Group at its tenth meeting to adopt a list of waste streams for which additional practical guidelines on the development of inventories should be developed.

52. Several representatives described challenges that their countries had encountered in completing the national reporting format and submitting their national reports, including a lack of capacity to collect all the information requested and poor Internet connectivity. One representative expressed appreciation for a regional workshop that had provided reporting training and support. Further improvements to the reporting format were suggested, including its translation into the five other official languages of the United Nations, improved correction and change capability, additional workshops and the availability of specific guidelines online. A number of representatives requested additional financial and technical assistance for national reporting, and another suggested that parties involved in the revision process consult with other countries in their regions.

53. One representative, noting that the information requested in the reporting format had broadened over the years to include information that might be useful but should not be taken into account in the determination of whether a party was in compliance with its obligations, stressed the need for parties to know which items on the form were mandatory.

54. Following the discussion, the Conference of the Parties decided to refer the revised reporting format to the contact group on legal matters for consideration of which items on the form should be mandatory and of the criteria for classifying compliance performance with regard to national reporting obligations. If during this work the group identified the need for revising the draft decision set out in the conference room paper, it could do so.

55. [*To be completed*]

C. Legal, compliance and governance matters

1. Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention

56. Introducing the sub-item, the President outlined the objectives of the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention, which he said were to assist parties to comply with their obligations under the Convention and to facilitate, promote, monitor and aim to secure the implementation of and compliance with the obligations under the Convention. At the current meeting the Conference of the Parties was to elect the members of the Committee, consider a draft decision submitted by the Committee, including a proposed work programme for 2016–2017, and consider four draft guidance documents prepared by the Committee.

57. Continuing the introduction, the representative of the Secretariat said that the report by the Committee on the implementation of its 2014–2015 work programme was set out in document UNEP/CHW.12/9, sect. II A and B, and the four draft guidance documents, on the development of waste inventories, implementation of the Basel Convention illegal traffic take-back provision (paragraph 2 of Article 9), the control system under the Convention and the manual for the implementation of the Convention, in documents UNEP/CHW.12/9/Add.1–4. In addition, information on the operation of the implementation fund established under decision IX/2 and on classification of

parties' compliance with their reporting obligations under the Convention was provided in two information documents (UNEP/CHW.12/INF/18 and 19).

58. Ms. Marie-Pierre Méganck (France), a member of the Committee, speaking on behalf of Ms. Jimena Nieto (Colombia), Chair of the Committee, reported on the work of the Committee during the 2014–2015 biennium. The Committee had held its tenth meeting in Paris in December 2013, an online supplementary session on 8 May 2014 and its eleventh meeting in Geneva in September 2014. The Committee had also for the first time consulted the Open-ended Working Group regarding activities in its work programme, namely, development of the four guidance documents. In-kind and financial resources had been provided by France, Japan and Switzerland to enable the Committee to hold its meetings. Colombia, Japan, Norway and Switzerland had made contributions to the implementation fund. She then described the activities of the Committee related to specific submissions and to the general review mandate pertaining to national reporting; national legislation; illegal traffic; insurance, bonds and other guarantees; the control system; and the manual for the implementation of the Convention. She also highlighted the recommendations the Committee had prepared for consideration by the Conference of the Parties.

59. In the ensuing discussion, one representative expressed concern regarding some of the suggested provisions in the guidance on the implementation of the Basel Convention illegal traffic take-back provision (paragraph 2 of Article 9), for example that it did not adequately reflect that the Convention clearly stipulated that it was the responsibility of the exporter to take back hazardous wastes once illegal traffic had been attributed to the exporter. In addition, there was no guidance on how to proceed in cases where damaged or inadequate packaging had resulted in contamination of cargo other than the hazardous substance; no clear procedure in cases of dispute, for example when an exporting entity claimed that under its domestic law a substance was not as hazardous waste; and a lack of clarity on the provisions for repackaging hazardous wastes for re-export. Also, the timelines stipulated were in some cases rather short, given that national administrative arrangements took time and domestic capacity for the identification and environmentally sound management of hazardous wastes was often inadequate. The guidance was not ready for adoption, she said, and further intersessional work was required. There was also a need to analyse, review and update the criteria by which the Compliance Committee decided whether a party was in compliance with its national reporting obligations. Finally, guidance needed to be developed on paragraph 11 of Article 6 of the Convention, relating to insurance, bonds and other guarantees, to assist parties in the development of national legislation and related provisions.

60. One representative expressed support for adoption of the guidance on the implementation of the illegal traffic take-back provision, saying that it would help developing country parties and parties with economies in transition in tracking illegal transboundary movements of hazardous wastes and meeting their obligations under the Convention. Another representative said that implementation and compliance were crucial to the objectives of the Convention and that training and awareness raising on the use of the guidance documents would be beneficial, including through the regional centres; in addition, developed countries should do more to assist developing countries in combating illegal traffic in hazardous wastes. Another representative said that the Basel Convention compliance mechanism demonstrated the value of an effective and efficient compliance mechanism, from which the parties to the Rotterdam and Stockholm might draw lessons. He suggested that the Compliance Committee further review the operation of the implementation fund in the light of its experience and other developments, excluding the UNEP special programme in doing so. One representative, speaking on behalf of a group of countries, welcomed the progress made under the mechanism for promoting implementation and compliance of the Basel Convention and expressed support for elements of the proposed draft decision, including with regard to broadening the Secretariat trigger, the consideration of the specific compliance difficulties of more individual parties, and the manuals, and she expressed the hope that the draft decision and guidance documents could be adopted at the current meeting with minor amendments. She expressed concern, however, about national reporting and the failure to reach the targets for 2011 and 2012. Several representatives outlined their countries' experience in matters related to compliance and identified challenges faced, including with regard to data gaps, legislation and policy development, reporting obligations and training and capacity-building.

61. Following the discussion the Conference of the Parties decided that the contact group on legal matters would consider the matter further. Taking into account the discussions in plenary, the group would seek to prepare a revised version of the draft decision set out in document UNEP/CHW.12/9 and revised versions of the draft guidance set out in documents UNEP/CHW.12/9/Add.1–4.

62. [*To be completed*]

2. National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic

63. Introducing the sub-item, the President said that the effective implementation of the Convention required that parties have complete information regarding other parties' national legal frameworks. Activities pertaining to the agenda item sought to support cooperation, make information available and facilitate efforts in relation to national legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic. At the current meeting the Conference of the Parties was expected to welcome related activities and encourage further such activities, to take note of an analysis of possible synergies in preventing and combating illegal trade and to consider whether to request the Secretariat to develop recommendations on such synergies, building on lessons learned under the Basel Convention.

64. Continuing the introduction, the representative of the Secretariat said that in accordance with decision BC-11/10 the Secretariat had provided legal and policy advice to parties; continued to collect national legislation and other measures transmitted by parties; continued to collect and translate notifications of national definitions of hazardous wastes and import/export restrictions and prohibitions; assisted parties in identifying illegal traffic and collected forms for confirmed cases of illegal traffic as well as information from parties on best practices in preventing and combating illegal traffic; and undertaken activities aimed at preventing and combating illegal traffic, including with a range of partners. Information on those activities (UNEP/CHW.12/11) was before the Conference of the Parties.

65. In the ensuing discussion one representative, speaking on behalf of a group of countries, expressed support for the draft decision in document UNEP/CHW.12/11, proposing an amendment. Another representative stressed the importance of synergies between the three conventions with regard to preventing and combating illegal traffic and trade in hazardous chemicals and wastes. Expressing support for the draft decision, while also offering an amendment, she called for further study of situations in which products were damaged during shipment and arrive as waste.

66. The representative of INTERPOL reported on her organization's activities relevant to the goals and implementation of the Basel Convention, including capacity development related to pollution crime prevention, training manuals and e-learning modules, investigative manuals and a mandate from the INTERPOL General Assembly to assist countries in implementing national and international laws relevant to the Basel Convention. It might be beneficial, she suggested, for representatives of the Conference of the Parties to cooperate with the INTERPOL Pollution Crime Working Group and for Governments to consider increasing their financial support for INTERPOL activities in areas relevant to pollution-related crime.

67. The Conference of the Parties adopted the draft decision set out in document UNEP/CHW.12/11, as orally amended and pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

68. The decision as adopted among other things requested the Secretariat to transmit the analysis of possible synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, building on lessons learned under the Basel Convention, to the conferences of the parties to the Rotterdam and Stockholm conventions. The decision also requested the Secretariat to prepare for consideration by the Conference of the Parties at its thirteenth meeting recommendations on possible synergies between the Basel, Rotterdam and Stockholm conventions in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, building on lessons learned under the Basel Convention. The Conference of the Parties requested the Secretariat to inform conferences of the parties to the Rotterdam and Stockholm conventions of that request during the current meeting so that they could consider whether to make similar requests to the Secretariat.

69. [*To be completed*]

D. Technical assistance (*continued*)

1. Capacity-building (*continued*)

2. Basel Convention regional and coordinating centres (*continued*)

70. [*To be completed*]

3. Implementation of decision V/32 on the enlargement of the scope of the Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention (*continued*)

71. [*To be completed*]

E. International cooperation, coordination and partnerships

1. Basel Convention Partnership Programme

72. Introducing the sub-item, the President observed that strategic partnerships had a multiplier effect for the implementation of the Basel, Rotterdam and Stockholm conventions because convention-specific issues were taken up and strengthened in the work programmes of partners or in programmes of mutual interest to several partners. At the current meeting the parties would discuss the Partnership for Action on Computing Equipment (PACE) and the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE). In addition, he drew attention to a conference room paper submitted by a number of delegations containing a draft decision aimed at initiating a partnership to tackle household waste which, he said, concerned all waste streams, including some toxic wastes covered under the Basel Convention.

(a) Partnership for Action on Computing Equipment

73. The Conference of the Parties began its consideration of the matter with a presentation by the PACE co-chairs, Mr. Marco Buletti (Switzerland) and Mr. Oladele Osibanjo, Director of the Basel Convention Coordinating Centre in Nigeria. Noting that at its eleventh meeting the Conference of the Parties had extended PACE through the end of 2015, they outlined the activities undertaken in response to decision BC 11/15, including the development of guidelines, manuals and reports and the conduct of pilot projects and awareness-raising activities, and described proposed next steps.

74. The guidelines, manuals and reports included a completed report on strategies, actions and incentives to promote the environmentally sound management of used and end of life computing equipment (UNEP/CHW.12/INF/27) and a soon-to-be-completed manual on steps for establishing and implementing the environmentally sound management of used and end-of-life computing equipment. In addition the Partnership had developed a draft concept note on strengthening the use of the PACE guidelines and reports at the regional and national levels, thus setting the scene for a "PACE after PACE".

75. Pilot projects and awareness-raising activities included four completed waste surveys and three pilot projects launched in developing countries and countries with economies in transition on the collection and management of used and end-of-life computing equipment, to test the guidelines developed under PACE; in addition, four pilot activities on the collection and management of end of life computing equipment had been initiated. Basel Convention regional centres had held a number of workshops over the years, and PACE would provide co-funding for an additional workshop for Africa in 2015 and had organized 12 webinars in English, French and Spanish on extended producer responsibility, materials recovery and collection systems. In addition to completion of the pilot projects and activities mentioned above, work yet to be completed included the revision of section 3 of the PACE Guidance Document on Environmentally Sound Management of Used and End of life Computing Equipment, once the Conference of the Parties had adopted the technical guidelines on transboundary movements of electronic and electrical waste, in particular regarding the distinction between waste and non-waste; the preparation of a report on experiences with the pilot projects; and the preparation of a "how-to" manual.

76. Regarding next steps, PACE was recommending the establishment of an ad hoc follow-up group to complete the outstanding tasks under the PACE work programme and to develop a strategy and work plan for a "PACE after PACE".

77. In the ensuing discussion, general appreciation was expressed for the progress made in implementing the PACE work programme, with several speakers also expressing support for the draft decision set out in document UNEP/CHW.12/15.

78. A number of representatives called for an emphasis on financial and technical assistance for developing countries and countries with economies in transition, and one representative urged parties to promote training on technical guidelines, adding that the role of regional centres should be emphasized in that regard.

79. One representative, speaking on behalf of a group of countries, said that since the partnership working group had yet to complete its work the Conference of the Parties should extend its mandate rather than replace it with an ad hoc follow-up group, and she suggested a number of amendments to

the draft decision. She also pointed out that, in view of the links between that draft decision and the draft decision on the technical guidelines on transboundary movements of e-waste and used electrical and electronic equipment being discussed in the contact group on technical matters, the former should not be adopted until the work on the latter had been completed to ensure consistency.

80. [*To be completed*]

(b) Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic

81. Introducing the sub-item, the representative of the Secretariat reported that in accordance with decision BC-11/8, ENFORCE had held its first meeting and elected its Chair, Ms. Leila Devia (Basel Convention Regional Centre in Argentina), and Vice-Chair, Mr. Honda Shunichi (Asian Network for the Prevention of Illegal Transboundary Movement of Hazardous Wastes). Ms. Devia then reported on the work of ENFORCE to date, highlighting some of the information set out in document UNEP/CHW.12/INF/28. She said that ENFORCE had held its first meeting in November 2013 with financial support from Japan and had held two teleconferences in 2014. Ms. Devia also reported that members of ENFORCE had adopted a roadmap including priority and supporting activities, pursuant to which it had conducted a gap analysis, which served as the basis for a report entitled "Overview of the Challenges and Needs of Parties and Various Stakeholders in Preventing and Combating Illegal Traffic in Line with the Requirements of the Basel Convention" and had initiated the creation of an information-sharing website, highlighting that both activities had been undertaken with financial support from the Netherlands. In addition, a series of regional webinars had been organized under ENFORCE to raise awareness of illegal traffic.

82. In the ensuing discussion one representative, speaking on behalf of a group of countries, expressed support for the work of ENFORCE and for the draft decision contained in document UNEP/CHW.12/16. The representative of INTERPOL gave an oral presentation on cooperation between INTERPOL and the Basel Convention on combating environmental crime, for example under the Green Customs Initiative, noting that such efforts would have to cease after August 2015 unless sufficient funds were made available.

83. Following the discussion the Conference of the Parties adopted the draft decision set out in document UNEP/CHW.12/16, pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

84. [*To be completed*]

(c) Creating innovative solutions through the Basel Convention for the environmentally sound management of household waste

85. At the invitation of the President the proponents of the draft decision on innovative solutions through the Basel Convention for the environmentally sound management of household waste introduced it. They said that one of the key challenges faced by national and local governments, particularly in developing countries, was the handling, storage and disposal of increasing quantities of household waste, the content of which varied but nearly always included hazardous substances. Urban waste was not properly managed for many reasons including increasing consumption, new technologies and chemical products in daily life, political inertia, a lack of adequate technologies for processing, recycling and disposing of wastes and difficulty in attracting technological investment in smaller countries. Steps were needed to prevent and minimize the generation of dangerous and hazardous wastes and to examine means for their improved collection, separation, recovery and final disposal.

86. The proposal was to begin the development of a concept for a partnership to assist Governments and municipalities in supporting a circular economy with the aim of reducing waste, recycling valuable materials, separating and safely handling hazardous wastes and creating green jobs. The partnership would rely on a broad dialogue with the private sector, civil society, the academic community, and Governments and local authorities with the aim of developing among other things guidance documents and manuals on best practices and business models for environmentally sound management of household waste as part of a circular economy in different socio-economic contexts. The draft decision would provide for an informal group to develop a draft work plan for consideration by the Open-ended Working Group.

87. In the ensuing discussion, all representatives who took the floor welcomed and supported the proposal as well as the proposed initiation of a partnership approach, saying that household wastes were important and challenging given that they could include such widely varied items as electronic wastes, batteries, medicines, used oils, paints and other hazardous substances. Many developing

country representatives outlined challenges in their countries such as open burning of wastes that resulted in emissions of dioxins and furans; the need to coordinate local authorities to address the issue; inadequate strategies, facilities, equipment and systems for environmentally sound management of hazardous wastes; inability to identify the components of household wastes; lack of a classification system for household wastes; and transboundary movements of household wastes.

88. Many representatives stressed the need for proper separation and waste reduction at source and several outlined programmes in their countries to deal with solid waste management, including some that were designed to convert solid waste to energy. Attention was also drawn to the informal sector, including waste dumpsite workers and the need to create safer working conditions for them. Another representative stressed the importance of training courses to emphasize the health risks of hazardous wastes in household wastes and awareness raising with regard to recycling and waste sorting at source. One representative drew attention to the Cartagena Declaration, saying that it should also be taken into consideration when dealing with the issue of household wastes as well as other work under UNEP. One representative proposed a minor amendment to the draft decision.

89. Following the discussion the Conference of the Parties requested the Secretariat to prepare for its consideration a revised version of the draft decision set out in the conference room paper, taking into account the discussions in plenary.

90. [*To be completed*]

2. Environmentally sound dismantling of ships

91. Introducing the sub-item, the President recalled that at previous meetings the Conference of the Parties had invited the International Maritime Organization (IMO) to continue work to establish requirements to ensure the environmentally sound management of ship dismantling. Subsequently, it had encouraged parties to ratify the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, which established obligations to ensure environmentally sound ship recycling, while acknowledging that the Basel Convention should continue to assist parties to apply the Basel Convention as it related to ships. At the current meeting the Conference of the Parties was to consider the continued need for inter-agency cooperation between the International Labour Organization, IMO and the Basel Convention and the development of implementation programmes on sustainable ship recycling.

92. Continuing the introduction, the representative of the Secretariat drew attention to a note (UNEP/CHW.12/17) providing information on the development of the implementation programmes relating to sustainable ship recycling, with a focus on a project, undertaken in collaboration with the IMO Marine Environment Division and the Norwegian Agency for Development Cooperation with funding from the European Union, on the environmentally sound management of waste from ship recycling in Bangladesh and Pakistan. The note also provided information on the continuing collaboration between the Secretariat and IMO on the Hong Kong Convention, particularly with regard to the further development of guidelines to support its implementation.

93. In the ensuing discussion, one representative speaking on behalf of a group of countries, welcomed the progress made, in particular the development by the Secretariat of sustainable ship recycling programmes and, with another representative, expressed support for the draft decision set out in document UNEP/CHW.12/17.

94. One representative expressed appreciation to the Secretariat for its work on ship dismantling, which he said was very important to countries with sizeable shipbreaking sectors such as his own, and to the European Union for financial support that he said had enabled his country to sign a memorandum of understanding with the Secretariat aimed at addressing the environmental and occupational risks associated with ship dismantling. He expressed the hope that such work in the shipbreaking sector would be scaled up over the following years.

95. Another representative said that his country had robust laws and standard operating procedures on shipbreaking, including environmental laws that were strictly enforced.

96. Following the discussion the Conference of the Parties adopted the draft decision set out in document UNEP/CHW.12/17, pending confirmation from the contact group on budget matters that any activities contemplated by the decision had been taken into account in the proposed programmes of work and budgets for the biennium 2016–2017 or that they would have no budgetary implications.

97. [*To be completed*]

3. Cooperation with the International Maritime Organization

98. Introducing the sub-item, the representative of the Secretariat introduced a note on cooperation between the Basel Convention and IMO (UNEP/CHW.12/18) prepared in response to decision BC-11/17, which called for several activities to be undertaken on the issue of wastes generated on board ships and the relationship between the Basel Convention and the MARPOL Convention,[1] including an invitation to parties to undertake an assessment, in close consultation with IMO, on how far the current Basel Convention technical guidelines applied to wastes covered by the MARPOL Convention; a request to the Secretariat to develop, subject to the availability of resources, a guidance manual, in cooperation with IMO, on how to improve the sea-land interface to ensure that wastes falling within the scope of MARPOL, once offloaded from ships, were managed in an environmentally sound manner; and a request to the Secretariat to continue, as appropriate, its cooperation with IMO.

99. With regard to the assessment, the Public Waste Agency of Flanders (OVAM) had informed the Secretariat that it planned to undertake an assessment of how far Basel Convention technical guidelines applied to wastes covered by MARPOL, and a report on the status and methodology of that assessment had been presented to the Open-ended Working Group at its ninth meeting. A draft of the assessment taking into account party comments (UNEP/CHW.12/INF/29) was before the Conference of the Parties at the current meeting. With regard to the guidance manual, the Secretariat, in cooperation with IMO and with financial support from the Government of Norway, would in 2015 develop guidance on how to improve the sea-land interface in accordance with the process set out in paragraph 17 of the draft decision in document UNEP/CHW.12/18. As for cooperation with IMO, the Secretariat had communicated decision BC-11/17 to the IMO Marine Environment Protection Committee and Maritime Safety Committee and had submitted comments on the revised version of the IMO *Comprehensive Manual on Port Reception Facilities* to the former with the aim of emphasizing the importance of the linkages between MARPOL and the Basel Convention in ensuring that wastes, once offloaded at ports, were managed in an environmentally sound manner.

100. In the ensuing discussion, most of the representatives who spoke expressed appreciation to the Government of Belgium and the Public Waste Agency of Flanders for the assessment set out in document UNEP/CHW.12/INF/29 and expressed support for the draft decision in document UNEP/CHW.12/18.

101. A number of representatives noted with thanks that the comments that they had provided were reflected in the assessment, with the one speaking on behalf of a group of countries indicating that they would provide additional comments that she hoped would be taken into account in the preparation of the final version. A number of representatives, including one speaking on behalf of a group of countries, also proposed changes to the draft decision. In response to a question, the representative of the Secretariat said that the draft guidance manual was meant to complement but not duplicate the IMO Comprehensive Manual on Port Reception Facilities, and that in preparing the former it would take the latter into account. One representative said that it was essential that the draft guidance manual be developed from the perspective of the Basel Convention, rather than the MARPOL Convention, with a view to assisting the Basel Convention parties in their efforts to manage interface wastes in an environmentally sound manner. Another said that there was a need to provide assistance to parties in the management of black water regulated under Annex IV to the MARPOL Convention.

102. Following the discussion the Conference of the Parties requested the Secretariat to prepare for its consideration a revised version of the draft decision set out in document UNEP/CHW.12/18, taking into account the discussions in plenary.

103. [*To be completed*]

4. Other international cooperation and coordination (*continued*)

104. [*To be completed*]

F. Financial resources (*continued*)

Establishment of a contact group and adoption of decisions (*continued*)

105. [*To be completed*]

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[1] International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and as further amended by the Protocol of 1997 (MARPOL).

G. Operations and work programme of the Open-ended Working Group for 2016–2017

106. The President introduced the item, recalling the mandate of the Open-ended Working Group, which he said included assisting the Conference of the Parties in developing and keeping under continuous review the implementation of the Convention and considering and advising the Conference on issues relating to policy, technical, scientific, legal, institutional, administrative, financial, budgetary and other aspects of the implementation of the Convention within the approved budget. At the current meeting the Conference of the Parties was expected to adopt the work programme of the Open-ended Working Group for 2016–2017 and to decide on the future operations of the Working Group.

107. Continuing the introduction, the representative of the Secretariat recalled that following the eighth meeting of the Open-ended Working Group, at which the Working Group had used less than half of the available interpretation capacity, the Conference of the Parties at its eleventh meeting had considered three options for the future operations of the Working Group: option A, the status quo; option B, providing that each meeting of the Working Group would feature a reduced number of plenary sessions with interpretation in the six official languages of the United Nations, with the balance of the meeting conducted in contact and other groups in English only; and option C, the replacement of the Working Group with a technical subsidiary body and the distribution of the work currently performed by the Working Group among the new subsidiary body, the Implementation and Compliance Committee and the Conference of the Parties. In decision BC-11/19, the Conference of the Parties had decided that the ninth meeting of the Open-ended Working Group should be conducted in accordance with option B, with the meeting lasting four days, including two days of interpretation. At its ninth meeting the Open-ended Working Group had adopted decision OEWG-9/2, by which it recommended that the Conference of the Parties adopt a decision on future institutional arrangements for the operations of the Open-ended Working Group taking into account the analysis prepared by the Secretariat and the views of the parties. The Secretariat's analysis setting out the three options (UNEP/CHW.12/21) was before the Conference of the Parties at the current meeting, along with a compilation of the views of the parties regarding the various options (UNEP/CHW.12/INF/35).

108. In the ensuing discussion, several representatives, including one speaking on behalf of a group of countries, expressed support for option B, with one saying that its use at the ninth meeting of the Open-ended Working Group had been a success and another that option B would ensure effective use of the budget.

109. Several other representatives expressed strong support for option A, which one said would best promote the effective participation of non-English speaking parties in the work of the Open-ended Working Group. One representative, supported by several others, said that the frequency and duration of the meetings of the Open-ended Working Group had been reduced considerably over the last few years and that the Open-ended Working Group was the only subsidiary body under the Basel Convention in which parties could debate technical, legal, administrative and other important issues in an open and transparent manner with interpretation in the six official languages of the United Nations. He also said that executive summaries of English only information documents should be prepared in the six official languages of the United Nations to enable all parties to make informed decisions. Another representative said that non-English speaking parties sometimes had difficulty participating in contact group discussions conducted in English only. One representative who supported option A suggested that concerns about cost could be addressed by ensuring that meetings were not longer than necessary to address the items on their agendas.

110. A number of representatives said that they preferred option A but could accept option B if resource limitations made option A unfeasible. Another, however, said that the budget implications of option A were not dramatic, and another that while it was important to achieve cost savings the functioning of any convention depended on the effective participation of all regions and all parties. Two other representatives said that the issue required a fundamental choice between saving money and ensuring participatory and transparent meetings, with one saying that the budget was a means to an end and not an end in itself.

111. No representative expressed support for option C, and two representatives said that they could not support it.

112. With regard to the proposed work programme of the Open-ended Working Group, one representative suggested that it be revised to include the updating of the technical guidelines on incineration on land, specially engineered landfills and physico-chemical treatment, which he said were outdated. Another representative said that the work programme should be further streamlined to

avoid duplication of work and that collaboration between the Working Group and other relevant groups should be improved.

113. Following the discussion the Conference of the Parties decided that the contact group on strategic matters (see section [ ] above) should further consider options A and B for the operation of the Open-ended Working Group and, taking into account the discussion in plenary, seek to prepare a revised version of the draft decision set out in document UNEP/CHW.12/21 for consideration by the Conference of the Parties. In addition, the Conference of the Parties requested the Secretariat to revise the work programme for the biennium 2016–2017 set out in the annex to the draft decision in accordance with the discussion in plenary.

114. [*To be completed*]

V. Programme of work of and budget

A. Programme of work and budget (*continued*)

115. [*To be completed*]

B. Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions (*continued*)

116. [*To be completed*]

C. Clearing-house mechanism for information exchange (*continued*)

117. [*To be completed*]

VI. Venue and date of the thirteenth meeting of the Conference of the Parties

118. [*To be completed*]

VII. Other matters

A. Memorandums of understanding between UNEP and the conferences of the parties to the Basel, Rotterdam and Stockholm conventions (*continued*)

119. [*To be completed*]

B. Admission of observers (*continued*)

120. [*To be completed*]

C. Official communications

121. Introducing the sub-item, the representative of the Secretariat recalled the role of competent authorities and focal points as set out in Articles 2 and 5 of the Convention. She added that in decision BC 11/21 the Conference of the Parties had adopted a revised harmonized form for use by parties to nominate their competent authorities and focal points. The Conference had also urged both parties and non-party States to nominate focal points and competent authorities, as well as to notify the Secretariat of the contact details of their competent authorities and focal points, using the revised form. It also requested the Secretariat to maintain an updated list of competent authorities and focal points on the Convention website. To date, 181 parties had nominated their focal points and 179 parties had designated one or more competent authorities. In addition, two non-parties had designated competent authorities and focal points.

122. The Conference of the Parties took note of the information provided and urged parties to nominate their focal points and competent authorities, as well as to provide updated information to the Secretariat when necessary on a timely basis.

D. Basel Waste Solutions Circle

123. Introducing the item, the President recalled the establishment of the Basel Waste Solutions Circle in 2009, saying that since its inception it had inducted its founding members and formed admissions and awards committees. In the light of changed circumstances since its founding, however, in particular the initiation of the synergies process for the Basel, Rotterdam and Stockholm

conventions, including awareness-raising and outreach activities covering all three conventions, it had been discontinued.

124. The Conference of the Parties took note of the information presented.

E. Global summit and fair on chemical safety and security

125. One representative drew attention to a global summit and fair on chemical safety and security to be held in Kielce, Poland, from 16 to 18 November 2015. The summit and fair would be dedicated to promoting practical, measurable ways to enhance chemical safety and security at all levels, to fostering a global culture of chemical safety and security and to addressing issues relevant to environmental conventions.

VIII. Adoption of the report

126. [*To be completed*]

IX. Closure of the meeting

127. [*To be completed*]